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राजस्थान राज-पत्र
विशेषांक

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Extraordinary

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राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

Industries (Gr.I) Department

Notification

Jaipur, May 23, 2016

G.S.R. 7.-In exercise of the powers conferred by section 21 of the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011(Act No. 7 of 2011), the State Government hereby makes the following rules further to amend the Rajasthan Enterprises Single Window Enabling and Clearance Rules, 2011, namely:-

1. **Short title and commencement.**- (1) These rules may be called the Rajasthan Enterprises Single Window Enabling and Clearance (Amendment) Rules, 2016.
- (2) They shall come into force on and from the date of their publication in the Official Gazette.

2. **Amendment of rule 2.**- In sub- rule (1) of rule 2 of the Rajasthan Enterprises Single Window Enabling and Clearance Rules, 2011, hereinafter referred to as the said rules,-

(i) the existing clause (a) shall be substituted by the following, namely:-

"(a) "Acknowledgement" means the acknowledgement issued for receipt of application under these rules;"

(ii) after the existing clause (a) and before the existing clause (b) the following new clause shall be inserted, namely:-

"(aa) "Act" means the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 (Act No. 07 of 2011);" and

(iii) The existing clause (h) shall be substituted by the following, namely:-

"(h) "Official" means any employee of the department or agency of the Government, Local Authority,

Statutory Body, State owned Corporation, Gram Panchayat, Municipality, or any other authority or Agency constituted or established under any Rajasthan law or under administrative control of the Government;"

(hh) "Portal" means website that serves as gateway for electronic operation and processing of applications specified in these rules;"

3. Substitution of rule 3.- The existing rule 3 of the said rules, shall be substituted by the following, namely:-

"3. Application.-

(1) Every application for seeking Permissions specified in Schedule-I shall be filed electronically on the Portal. The Application Form shall be duly filled and accompanied with required documents. However, in case of failure of electronic system due to unforeseen circumstances, the applicant may submit application in physical format to the Nodal Agency."

(2) Applicant shall furnish the self certification in Form-I at the time of registering on the Portal and it shall be deemed to have been furnished with every application for the Permissions within the meaning of sub-section (3) of section 8 of the Act."

(3)

4. Amendment of rule 4.- The existing sub-rules (1), (2), (3), (4) and (5) of rule 4 of the said rules, shall be substituted by the following, namely:-

"(1) An automated acknowledgement shall be generated on the Portal for every application submitted electronically and the application shall be auto forwarded to the Competent Authority concerned under intimation to the Nodal Agency.

(2) All the applications auto forwarded on the Portal to the Competent Authority shall be deemed to have been forwarded by the Nodal Agency within the meaning of clause (i) of section 6 of the Act.

- (3) In case the application is submitted to Nodal Agency in physical format as specified in sub-rule (1) of rule 3, the Nodal Agency shall issue the acknowledgement and forward the application to the Competent Authority concerned, within the time specified in Schedule-2 of these rules.
- (4) The Nodal Agency shall maintain a Register of Applications in electronic or physical form and the particulars of all the applications shall be entered in the Register of Applications.
- (5) The Nodal Agency shall monitor the disposal of applications within the time limit specified in these rules and keep a record of the communication between applicant and the Competent Authority."

5. **Substitution of rule 5.-** The existing rule 5 of the said rules, shall be substituted by the following, namely:-

"5. Processing and monitoring of applications at the level of Competent Authority.-

- (1) The Competent Authority, after receipt of the application for Permission, shall consider and take decision on the application within the time limit specified in these rules. If the application is incomplete and/or any additional information is prescribed in rules for taking a decision on the Permission, the Competent Authority may obtain such additional information from the applicant. The time taken by the applicant in submitting required information to complete the application or additional information shall not be counted in counting the time limit. In case the applicant fails to submit the required information to complete the application within thirty days, the registration for application shall be dropped from the Portal.
- (2) The decision on the application within the specified time limit by the Competent Authority shall be communicated to the applicant and the Nodal Agency.
- (3) In cases of applications in which the Competent Authority has failed to take a decision within the specified time limit, the record of processing of the

application shall be forwarded to the concerned Nodal Agency."

6. Amendment of rule 6.- The existing sub-rule (1) of the said rules shall be substituted by the following, namely:-

"(1) The time limits for processing and disposal of applications shall be as specified in Part A and Part B of Schedule-I or Schedule-II, as the case may be. The time limits for the State Empowered Committee/District Empowered Committee for processing the application for Permissions, in case the Competent Authority has failed to take a decision in the specified time limit, shall be thirty working days counted from the last date of the time limit prescribed in Part A and Part B of Schedule I, for the Competent Authority to take the decision:

Provided that any decision by the State Empowered Committee/District Empowered Committee or Chairperson of State Empowered Committee/District Empowered Committee, in exercise of power conferred to it in sub-section (4) of section 3 of the Act and sub-rule (7) of rule 4 of these rules, shall be communicated to concerned Competent Authority within seven days and it shall be binding on the Competent Authority and the Competent Authority shall issue all the necessary orders for Permission within three days."

7. Insertion of new rule 6A.-After the existing rule 6 and before the existing rule 7, the following new rule 6A shall be inserted, namely:-

"6A. Monitoring of applications for Permissions specified in Part C of Schedule-I.-

- (1) The Permissions specified in Part C of Schedule-I shall be provided through Portal of Single Window System to ensure online filing, payments, tracking of status, approvals and issuance of certificates. The time limits for disposal of such applications shall be as prescribed in Part C of Schedule-I.
- (2) The Applications on which the Competent Authority has failed to take a decision within the prescribed time limit,

the applicant shall appeal to appropriate authority, specified in relevant law:

Provided that the Rajasthan State Pollution Control Board shall explicitly publish the provisions of deemed consent under the applicable Acts and procedure of appeal against the decision of Competent Authority on its Web Portal.

- (3) Notwithstanding anything contained in the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 (Act No. 7 of 2011), the State Empowered Committee or the District Empowered Committee shall not take any decision in the cases where the Competent Authority of Rajasthan State Pollution Control Board has failed to take a decision within the specified time limit, but the State Empowered Committee shall be empowered to monitor the applications submitted on Portal for the Permissions specified in Part C of Schedule-I and redress the grievances of applicant.”

8. Substitution of rule 9.- The existing rule 9 of the said rules, shall be substituted by the following, namely:-

9. Grievance Redressal Mechanism.-

- (1) An Grievance Redressal Cell shall be constituted in Industries department consisting of the following, namely:-

- (1) Commissioner, Industries, Rajasthan Chairperson
- (2) Two officers of the Industries department, Member not below the rank of Deputy Director, Industries department, nominated by the Secretary incharge of the Industries department, Government of Rajasthan.

- (2) Any aggrieved person or applicant shall register his grievance on the Portal in Form-2. All grievances registered on portal shall be received and processed by the Grievance Redressal Cell and take appropriate measures for addressing the grievances within forty five days of registration of grievance:

Provided that in all such cases where Competent Authority has failed to decide the application for Permission within time limit specified in these rules, shall be processed by the Nodal Agency for decision as specified in sub-rule (7) of rule 4 and shall be communicated to the aggrieved applicant.

- (3) All grievances received shall be presented in the next meeting of State Empowered Committee by the Grievance Redressal Cell and the decision of State Empowered Committee shall be final and shall be binding on all concerned. However if the grievance refers to any order of State Empowered Committee, it shall be submitted to the State Government and the decision of State Government shall be final and shall be binding on all concerned.
- (4) In cases where State Empowered Committee finds that any Official has failed to comply with the provisions of the Act and these rules, the State Empowered Committee may recommend the Disciplinary Authority concerned to initiate appropriate action or disciplinary proceedings against the official for imposing penalties specified in rule 14 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958:
Provided that official who fails to comply with the provisions of the Act and these rules belongs to of any agency of the Government, Local Authority, Statutory Body, Gram Panchayat, Municipality, State owned Corporation, or any other authority or Agency constituted or established under any Rajasthan law or under administrative control of the Government, the State Empowered Committee may recommend, the appropriate Disciplinary Authority to initiate appropriate action or disciplinary proceedings against the official for imposing penalties mentioned in applicable service rules.
- (5) Notwithstanding anything contained, the State Government shall be competent to initiate appropriate action or disciplinary proceedings against any official who fails to comply with the provisions of Act and these rules.

9. **Substitution of Schedule-I-** The existing Schedule-I appended to the said rules, shall be substituted by the following, namely:-

"Schedule-I

(See rule 3 (1) 6 and 6(A))

Part - A

Time Limit for Various Permissions/Clearances

S. No.	DEPARTMENTS / ORGANIZATION	PERMISSIONS/ CLEARANCES	TIME LIMIT (WITHIN WORKING DAYS)
1	2	3	4
1.	Factories and Boilers Inspectorate	a) Factory building plan approval' (under the Factories Act, 1948)	
		i) Factories as defined under section 2m(ii) and involving non hazardous process as defined under rule 2(m)	10 days
		ii) Other factories	30 days
		b) Factories license	
		i) Factories as defined under section 2m(ii) and involving non hazardous process as defined under rule 2(m)	7 days
		ii) Factories involving non hazardous process as defined under rule 2(m)	15 days
		iii) Factories involving hazardous process as defined under section 2(cb)	21 days
		iv) Factories involving dangerous operations as defined under section 87	21 days
		v) MAH factories as defined under Rajasthan Control of Major Accident Hazard Rules, 1991	60 days
		c) Renewal under 'Factories license	
		i) Factories as defined under section 2m(ii) and involving non hazardous process as defined under rule 2(m)	7 days

1	2	3	4	
		ii)	Factories involving non hazardous process as defined under rule 2(m)	15 days
		iii)	Factories involving hazardous process as defined under section 2(ch)	21 days
		iv)	Factories involving dangerous operations as defined under section 87	21 days
		v)	MAH factories as defined under Rajasthan Control of Major Accident Hazard Rules, 1991	60 days
		d)	Registration under Boiler Act	After the receipt of complete application
		i)	Provisional order (under the Boilers Act, 1923)	Exempted
		ii)	Final order (under the Boilers Act, 1923)	30 days
		e)	Renewal under 'Registration under Boiler Act'	
		i)	In cases in which the Competent Person is empowered to issue a certificate under section 8 without further reference.	48 hours
		ii)	In any other case	15 days
f)	Steam Pipeline Drawing approval (under the Boilers Act, 1923)	15 days		
2.	Labour Department	a)	Permission for engaging contractor for labour Under Contract Labour (Regulation and Abolition) Act, 1970	
		i)	Registration of Principal Employers Establishments	30 days
		ii)	Issuance of Licence to Contractor for employment of contract labours.	15 days
		b)	Registration of Establishments under Building and other Construction Workers (Regulation of Employment and conditions of Services) Act, 1996	15 days

1	2	3	4	
		c)	'Registration under Shops and Establishments Act'	30 days
		d)	Renewal under 'Shops and Establishments Act'	15 days
3.	Revenue Department	a)	Land conversion—Conversion of land use under Rajasthan Land Revenue (Conversion of Agricultural Land for Non-Agricultural Purposes in Rural Areas) Rules, 2007	Sending applications directly to the concerned District Collectors under intimation to Revenue Department, Jaipur, to save time.. Revenue Department would issue on line receipt and update online status of the application. All communication would be addressed to PS, Revenue for early action.
		i)	up to 10 hectares	60 days from submission of completed application to District Collector
		ii)	above 10 hectares	90 days from submission of completed application to State Government
4.	Energy Department (All Vidhyut Vitran Nigam Ltd.)	a)	Release Connection (where no extension in Distribution Mains is required) Electricity connection	
		1)	Release of Connection Explanation: i) If LT supply of electricity can be provided to a premises by existing service line or by laying service line up to 50 meters, from an existing overhead line or underground cable where a cable box, junction box pillar box etc. has been provided, the distribution mains shall be deemed to require no extension. ii) In case of HT supply of electricity to a premises, the distribution system shall be deemed to require augmentation and procedure laid down in Clauses b) & c) hereunder shall be followed.	Within one month of the receipt of completed application

1	2	3	4
		b)	Supply where distribution mains require extension
		1)	Notice to the applicant to deposit additional expenses
			Within one month of the receipt of application (for a period of one month)
		2)	Where extension of distribution mains is required but no additional sum is required to be deposited
			The Nigam shall complete the extension work within 15 days
		3)	The Nigam shall complete the extension of distribution mains within the time specified below for different voltage levels after deposit of additional sum by the applicant
		i)	L.T. line
			15 days
		ii)	11 KV line-first 5 Kmp Next 5 Km each
			30 days 15 days
		iii)	33 KV line-first 5 Km Next 5 Km each
			60 days 30 days
		iv)	132 KV line-first 5 Km Next 5 Km each
			180 days 45 days
			Note: After extension work connection will be released within 15 days after inspection of the installation.
		c)	Supply where new sub-station or augmentation of transformer sub-station is required
		1)	Supply where new substation is to be commissioned
			The Nigam will intimate within two month of receipt of application, the date of commencement of work, to the consumer and complete the work within time limit specified below
		i)	11/0.4 KV sub-station
			30 days
		ii)	33/11 KV sub-station
			120 days
		iii)	Extension of bay at 33/11 KV sub-station
			30 days
		iv)	132/33/11 KV sub-station
			12 month
		v)	Extension of bay at 132 KV sub-station
			45 days
		2)	Supply where augmentation of transformer sub-station capacity is required

1	2		3	4
			i) 11/0.4 KV sub-station	15 days
			ii) 33/11 KV sub-station	60 days
			iii) 132/33/11 KV sub-station	6 months
			After commencement of work of sub-station i) Intimation to the consumer if any additional sum is to be deposited by the applicant. Intimation— Time of deposition— Release of connection—	Within 15 days after commencement of work. 1 month or such extended period as the Nigam may allow. Within 15 days of commissioning of sub-station.
		d)	Supply in localities where no provision for supply exists	Once electrification of such locality is completed supply shall be provided to the applicant in accordance with the provisions of sub-clauses a) to c) above as may be applicable to him.
		e)	Supply where electric line/plant is provided by applicant	The Nigam shall provide supply of electricity within 15 days of intimation given by the applicant regarding completion of work.
5.	RIICO	a)	Allotment of plots in Industrial Areas	Form A—30 days Form A(Preferential) —90 days
		b)	Approval of building plans	15 Days (After receiving complete modification/correction in submitted drawing)
		c)	Water Connection	20 days (After receiving of complete information)
6.	UDH Department (JDA/UIT's)	a)	90A of Agriculture Land/ Conversion of land under Rajasthan Land Revenue Rules 2012	60 days
		b)	Change of Land use/Conversion of land use from residential to commercial	(3) Matters to be decided at Local level committees- 60 days (4) Matters to be decided at State level committees-120 days
		c)	Issuance of Lease Deed for institutional plots	(5) To be issued at local level-30 days (6) When approval of State Govt. is required- 60 days
		d)	Allotment of institutional land except the allotment of land through lottery/auction and of the developed land given as compensation for Government/Semi-Government	90 days

1	2		3	4
			departments/ institutions and acquired land—under instruction of Urban Development and Local Self Department dated 4.1.2010	
		e)	Building map approval of all kinds of institutional buildings	60 days
7.	Local Self Government (LSG)	a)	NOC from Fire Department	30 Days
		b)	90A of Agriculture Land/ Conversion of land under Rajasthan Land Revenue Rules 2012	60 Days
		c)	Change of Land use/Conversion of land use from residential to commercial	(7) Matters to be decided at Local level committees- 60 days (ii) Matters to be decided at State level committees - 120 days
		d)	Building map approval of all kinds of institutional buildings	60 days
8.	Public Health Engineering Department (PHED)	a)	Water Connection	07 days as per availability of water and after deposition of all fees
9.	Tourism Department	a)	Project Approval	45 days from the date of submission of complete application
10	Industries Department	a)	Incentives under Industrial Policy/ Investment Promotion Scheme	As per Schedule I(b)

Part - B**Time Limit for Incentives under RIPS-2014**

S. No.	Department		Application for Benefits under Rajasthan Investment Promotion Scheme -2014	Time Limit for disposal of application (Decision on eligibility under RIPS-2014)
1.	Industries Department	a)	Exemption from stamp duty and conversion charge	07 days from date of submission of complete application
		b)	Exemption from land tax	45 days from date of submission of complete application
		c)	Investment subsidy and Employment subsidy	45 days from date of submission of complete application
		d)	Exemption from (8) Electricity duty (9) Entertainment tax (10) Luxury tax (11) Mandi fee (12) Entry tax	45 days from date of submission of complete application

1	2	3	4
		e) Interest subsidy	45 days from date of submission of complete application
		f) Reimbursement of VAT	45 days from date of submission of complete application
		g) Capital subsidy on ZLD treatment plant	45 days from date of submission of complete application

Part - C**Time Limit for Various Permissions/Clearances**

S. No.	ORGANISATION	PERMISSIONS/CLEARANCES	TIME LIMIT (WITHIN WORKING DAYS)
1.	Rajasthan Pollution Control Board (RPCB)	a) Consent to Establish (under Water Act & Air Act)	120 Days
		b) Consent to Operate (under Water Act & Air Act)	120 Days
		c) Renewal of 'Consent to Operate (under Water Act & Air Act)	120 Days
		d) Authorization under Hazardous Waste Rules	120 Days

10. Amendment of Schedule-II. - In Schedule-II appended to the said rules,-

(i) the existing Part-A shall be substituted by the following, namely:-

"Part-A**Time Limit for Nodal Agency for State Empowered Committee/
District Empowered Committee**

S. No.	Time Limit For	Time Limit (Within Working Day)
1	2	3
1.	Forwarding the application received in physical format from the investor (As described in sub-rule 1 of rule 3)	2 days
2.	All Agency to place the application for permission	

1	2	3
(i)	before the concerned Empowered Committee for decision in cases where the concerned competent authority has failed to decide the application within the prescribed time limit.	30 days counted from last date of the time limit prescribed for the Competent Authority to take the decision in schedule I (a) & (b)
(ii)	before the chair person of the concerned Empowered Committee in case the Committee is unable to meet or otherwise is unable to consider the application within 30 days.	15 days counted from last date of the time limit prescribed for the Competent Authority to take the decision in schedule-II, 2 (i)
3.	Comments to be asked from the Competent Authority/concerned departments or authority on application/request for concessions, exemptions or relaxations or grant of Customized Packages.	7 days from the receipt of the application/request

(ii) the existing Part-D shall be deleted.

11. Substitution of Form-1.- The existing Form-1 appended to the said rules shall be substituted by the following, namely:-

"FORM-1
(See rule 3 (2))
Self - Certification

I S/o.....
Residing at state that I am
authorized signatory for M/s,
and hereby give the following undertaking :-

- (1) I certify that the particulars furnished in the Application Form under the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 for Permission are true, correct and complete to the best of my knowledge and I undertake to adhere to the declarations made there under.

- (2) I/ Firm / Company hereby undertake to abide by the conditions specified in each of the Permissions and to comply with all the provisions of applicable regulations.
- (3) I/ Firm / Company have gone through all the relevant laws and undertake to abide by the same.

Place : Authorized signatory
Date : For M/s....."

12. Substitution of Form-2.- The existing Form-2 appended to the said rules shall be substituted by the following, namely:-

"FORM-2

(See rule 9(2))

Grievance Registration Form

- (1) Registration Number :
- (2) Grievance Category :
- (3) Aggrieved By Orders/Action of :
- (4) Mobile Number :
- (5) Email Id :
- (6) Please enter Grievance Description upto 4000 characters
- (7) Please provide the details of Past Reference(s), with date :
- (8) Do you want to upload PDF attachment? Yes/ No

Signature and
Name of Applicant "

[No. F.14(5)Udyog/1/2010]

By Order of the Governor,
Iqbal Khan,

Joint Secretary to the Government.

Government Central Press, Jaipur.